

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

KATHLEEN O'HARA,

Plaintiff,

v.

BOARD OF COOPERATIVE EDUCATIONAL
SERVICES, SOUTHERN WESTCHESTER, *et al.*,

Defendants.

No. 18-CV-8502 (KMK)

ORDER TO SHOW CAUSE

KENNETH M. KARAS, United States District Judge:

Plaintiff Kathleen O'Hara ("Plaintiff") brought this Action against the Board of Cooperative Educational Services, Southern Westchester ("BOCES") and certain BOCES employees (collectively, "Defendants"), alleging violations of the Fourteenth Amendment, Title VII of the Civil Rights Act of 1964 ("Title VII"), 42 U.S.C. § 2000e *et seq.*, and Title I of the Americans with Disabilities Act ("ADA"), 42 U.S.C. § 12111, *et seq.* (See SAC (Dkt. No. 31.) On March 16, 2020, the Court issued an Opinion & Order dismissing all of Plaintiff's claims. (Opinion 36 (Dkt. No. 45).) However, the Court provided Plaintiff 30 days to submit a third amended complaint. (*Id.*) On April 1, 2020, Plaintiff filed a letter seeking an extension until May 29, 2020 due to the Covid-19 virus. (Dkt. No. 46.) On April 4, 2020, the Court granted the extension, noting that "there will be no further extensions as ECF allows counsel to work and file remotely." (Dkt. No. 47.) The extended deadline to amend has now long passed, and Plaintiff has not submitted a third amended complaint or otherwise communicated with the Court.

Accordingly, it is hereby:

ORDERED that Plaintiff shall show cause, by no later than July 10, 2020, as to why the Action should not now be dismissed with prejudice. See *Armstrong v. Guccione*, 470 F.3d 89, 103 n.1 (2d Cir. 2006) (noting that "a federal district court has the inherent power to dismiss a

case *sua sponte* for failure to prosecute” (citing *Link v. Wabash R.R. Co.*, 370 U.S. 626 630–32 (1962)). In the event that good cause is not shown, the Court may dismiss the Action without further notice.

SO ORDERED.

DATED: June 29, 2020
White Plains, New York

A handwritten signature in black ink, appearing to read 'K. Karas', is written over a horizontal line.

KENNETH M. KARAS
UNITED STATES DISTRICT JUDGE